

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF MISSISSIPPI DELTA DIVISION

UNITED STATES OF AMERICA, *ex rel.*,  
THOMAS F. JAMISON,

Case No. 2:08cv0214-SA-DAS

Plaintiffs,

v.

MCKESSON CORPORATION; MCKESSON MEDICAL-  
SURGICAL MEDINET, INC.; GGNSC HOLDINGS, LLC;  
GOLDEN GATE ANCILLARY, LLC; BEVERLY  
ENTERPRISES, INC; CERES STRATEGIES, INC.; and  
CERES STRATEGIES MEDICAL SERVICES, LLC,

Defendants.

**STIPULATION REGARDING DISCOVERY  
AND ORDER**

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WHEREAS, the Relator, through counsel, sought to take the deposition of the defendants in this case regarding the question of whether the Court has jurisdiction over the Relator's claims;

WHEREAS, the defendants objected to these depositions, and moved for a protective order on May 21, 2009;

WHEREAS, the Relator contends that the depositions are necessary because certain of defendants' written discovery responses are inadequate; and

WHEREAS, the defendants deny that their written responses are inadequate, but are willing to clarify those responses as a compromise to resolve the parties' dispute;.

NOW THEREFORE, the undersigned parties, by and through their respective counsel, do

hereby stipulate that:

1. The defendants will supplement their responses to the Relator's Requests for Admissions Nos. 1-3, dated April 29, 2009, to explain their bases for denying these Requests. Such supplemental responses will be provided by June 8, 2009. In supplementing their responses, defendants will identify each document that defendants allege constitutes a public disclosure that triggers the jurisdictional bar and that names particular defendants. These supplemental responses may be amended should defendants discover or identify additional such public disclosures following the service of their supplemental responses.

2. The Relator will not take the depositions of any of the defendants during the jurisdictional phase of the case; and

3. Defendants will withdraw their pending motion for protective order.

Dated: June 1, 2009

KEKER & VAN NEST, LLP

By: /s/ David J. Silbert  
DAVID J. SILBERT  
Attorneys for Defendants  
MCKESSON CORPORATION and  
MCKESSON MEDICAL-SURGICAL MEDINET,  
INC.

Dated: June 1, 2009

U.S. DEPARTMENT OF JUSTICE

By: /s/ Thomas Morris  
THOMAS MORRIS  
Attorneys for Plaintiff-Intervenor  
UNITED STATES OF AMERICA

Dated: June 1, 2009

PIGOTT REEVES & JOHNSON

By: /s/ Cliff Johnson  
CLIFF JOHNSON  
Attorneys for Plaintiff-Relator  
THOMAS F. JAMISON

Dated: June 1, 2009

AKIN GUMP STRAUSS HAUER & FELD LLP

By: /s/ Robert S. Salcido  
ROBERT S. SALCIDO  
Attorneys for Defendants  
GNSC HOLDINGS, LLC; GOLDEN GATE  
ANCILLARY, LLC; BEVERLY ENTERPRISES,  
INC.; CERES STRATEGIES, INC.; and CERES  
STRATEGIES MEDICAL SERVICES, INC.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: June 4, 2009

/s/ David A. Sanders  
HON. DAVID A. SANDERS  
U. S. MAGISTRATE JUDGE